United States Marine Corps
Inspector General

Intelligence Oversight

BRIEFING TOPICS

- **MISSION AND ORGANIZATION**
- **INTELLIGENCE OVERSIGHT TRENDS**
- **REPORTING AND ISSUE RESOLUTION**
- **PROGRAM ASSESSMENT**

Oversight Division

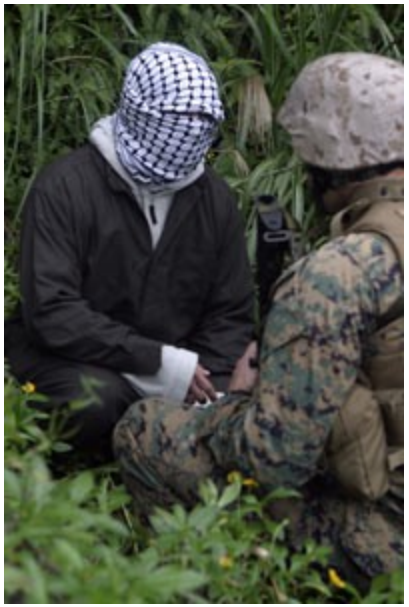
- **Oversight of intelligence and non-intelligence "Sensitive Activities"**

- **Includes: Intelligence, counterintelligence, covered/clandestine actions, special access programs, support to law enforcement agencies, special operations, special activities**

Sensitive Activities

- Sensitive Activities are activities, by their very nature, that require special oversight to reduce the potential for:
  - Physical risk to DON personnel or property
  - Issues of unlawful/improper conduct
  - Public embarrassment
- May require special protection from disclosure

ISSUES ASSIGNED TO IGMC-IC



INTELLIGENCE ACTIVITIES

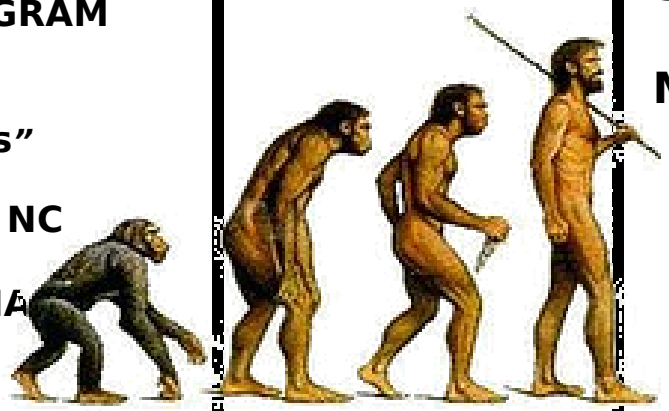
WHY WE EXIST?

ABUSES - 60s/70s

- **VIETNAM ERA ABUSES**
- **INFILTRATION OF COLLEGE CAMPUSES**
- **INVOLVEMENT IN DOMESTIC POLITICAL ISSUES**
- **SURVEILLANCE OF ANTI-WAR PROTESTORS**

ABUSES - 80/90'S

- **COMPARTMENTED PROGRAM ABUSES**
- **El Salvador "Hit Squads"**
- **Waco, TX Fort Bragg, NC**
- **IRAN-CONTRA; GUATEMA**



IO MISSION

1975 – Church Committee

1981 – E.O. 12333

1982 – DODR 5240.1R

SECNAVINST 3820.3E

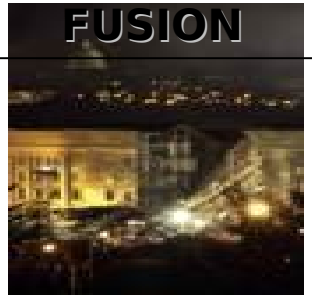
SECNAVINST 5000.34C

MCO 3800.2B

WHY INTELLIGENCE OVERSIGHT?

Relevance in the Current Environmen

GWOT AND TRANSFORMATION	FORCE PROTECTION	EVOLVING CAPABILITIES
PRE-DEPLOYMENT TRAINING & COMMAND RESPONSIBILITIES	INFORMATION SHARING & INTELLIGENCE FUSION	OPEN SOURCE COLLECTION



EXAMPLES OF SENSITIVE ACTIVITIES

- **Lethal support/training to Non-USMC/DoD agencies**
- **Use of Marines in law enforcement undercover ops**
- **Loan of gear/training support to civilian law enforcement agencies**
- **“Covered/clandestine” activities CONUS/OCONUS**
- **CONUS off-base urban training**
- **Intelligence collection of info on U.S. persons**
- **Special Access Programs (SAPs)**
- **Support/agreements to certain Govt (DoS, CIA) or non-Govt agencies**

WHY INTELLIGENCE OVERSIGHT?

Relevance in the Current Environmen

PROTECT USMC INTERESTS

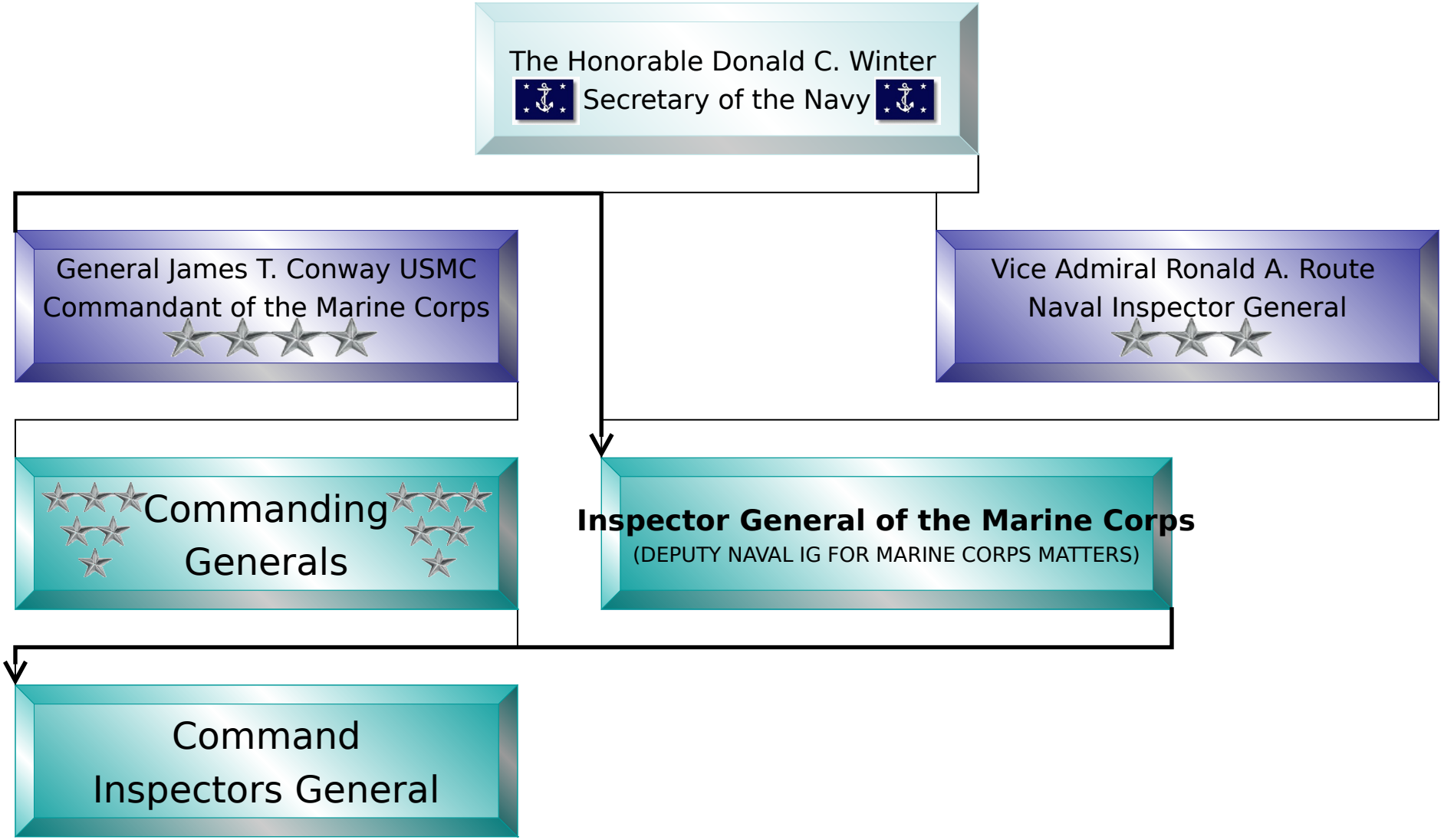
PROTECT CONSTITUTIONAL RIGHTS

PERFORM INTELLIGENCE ACTIVITIES LAWFULLY

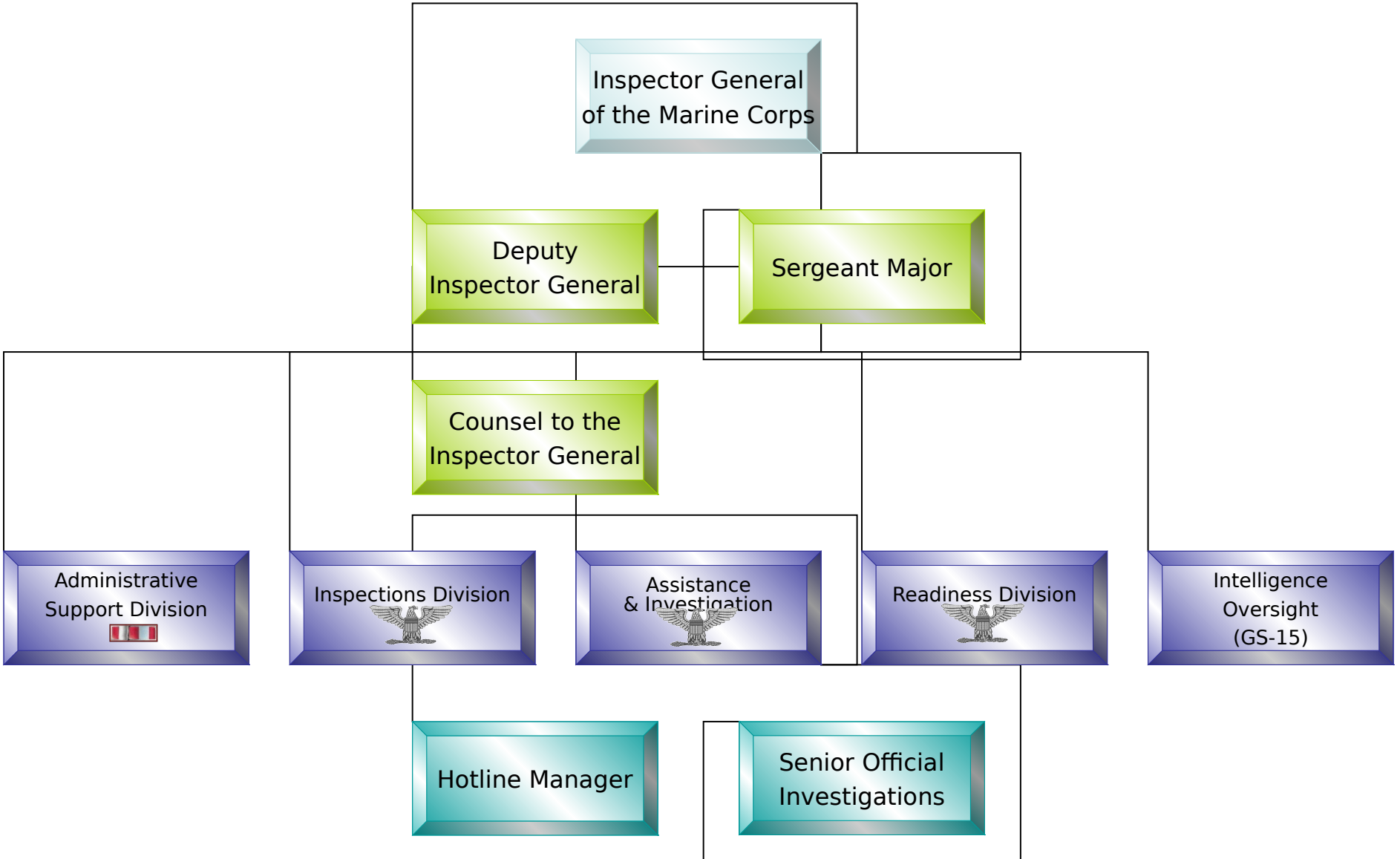
REPORT QUESTIONABLE ACTIVITIES

IGMC Relationships

(within the Department of the Navy)


The Honorable Donald C. Winter
Secretary of the Navy
General James T. Conway USMC
Commandant of the Marine Corps
Vice Admiral Ronald A. Route
Naval Inspector General
Commanding Generals
Inspector General of the Marine Corps
(DEPUTY NAVAL IG FOR MARINE CORPS MATTERS)
Command Inspectors General

IGMC Organization



Intelligence Oversight Presidential Charter

INTELLIGENCE OVERSIGHT BOARD

SECDE

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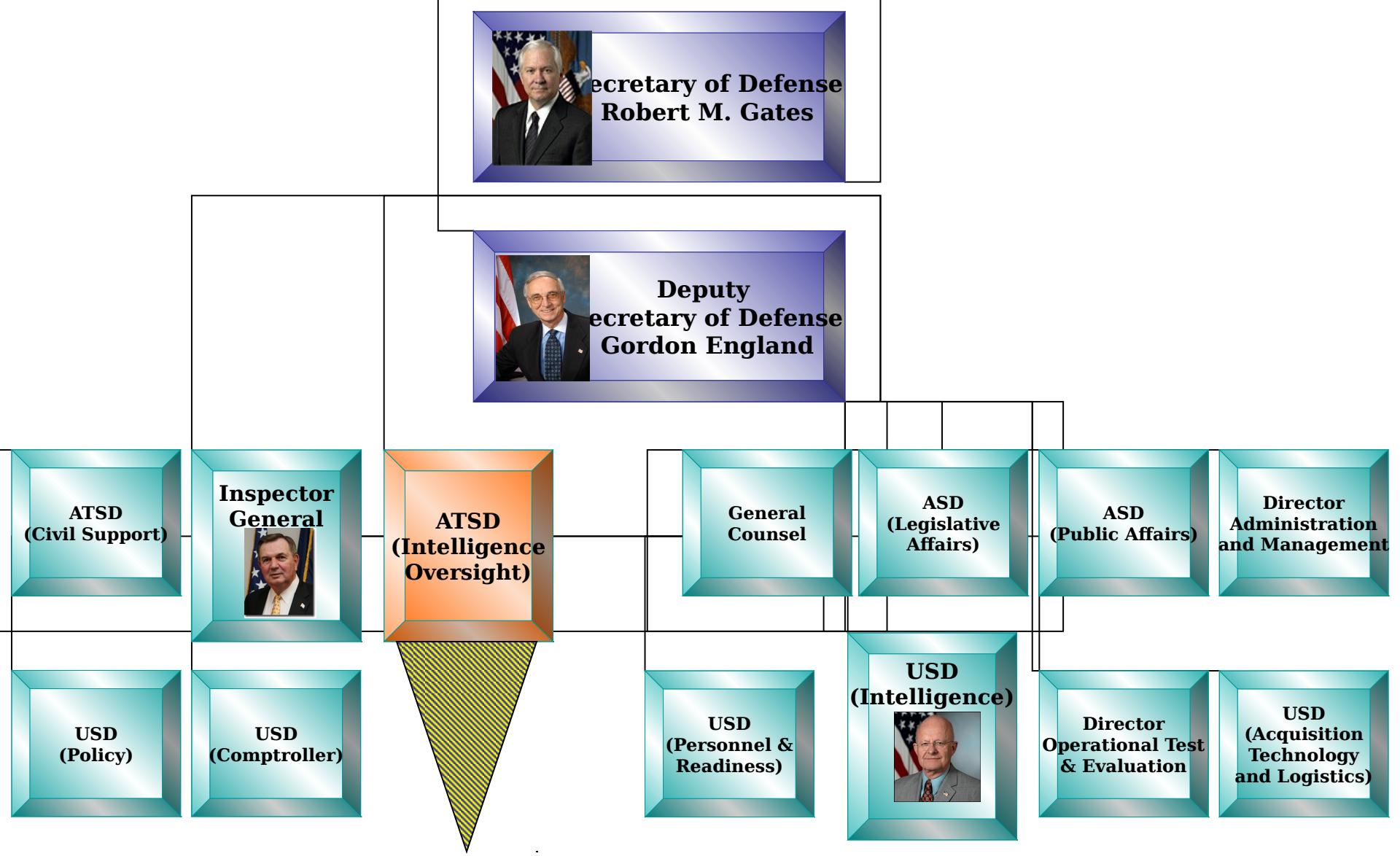
QUARTERLY REPORT

Department of Defense General Counsel

ATSD(IO)

POLICY AND GUIDANCE

COMPLIANCE INSPECTIONS



RESPONSIBLE FOR THE OVERSIGHT OF ALL INTELLIGENCE / COUNTER INTEL ACTIVITIES IN THE DEPARTMENT OF DEFENSE

Intelligence Oversight Triangle

Commanders Remain Responsible for Everything the Unit Does or Fails to Do

Intelligence Professional

Inspector General of the Marine Corps

Staff Judge Advocate
to the Commandant of the Marine Corps

A system of checks and balances to mitigate risk

Trends
What We Are Seeing in DoD

- **Inspections**
  - **Execution of Intelligence Activities is Generally Good**
  - **Troops Get Trained—Leaders and Contractors Don't**
  - **Unimaginative Training Leads to Poor Retention**
  - **Lack of Non-Intel Leader Awareness and Emphasis on IO**
  - **Loss of High Demand Low Density Personnel to the Private Sector**
- **Reports of Questionable Intelligence Activity (Procedure 15)**
  - **Conduct of Intelligence Activities without Appropriate Authority**
  - **Personnel Misconduct in the Course of Intelligence Operations**
  - **Failure to Report Questionable Activities**

DoD IO Case Files

Source Operations

- **The Rogue Analyst**
- **The Rogue G2**
- **CERP Funds for Sources**

Unauthorized Collection Activities

- **“Health and Welfare” (Wink, Wink) Subterfuge Searches**
- **Hacking into Email Accounts of US Persons**
- **Physical Surveillance and Investigations**

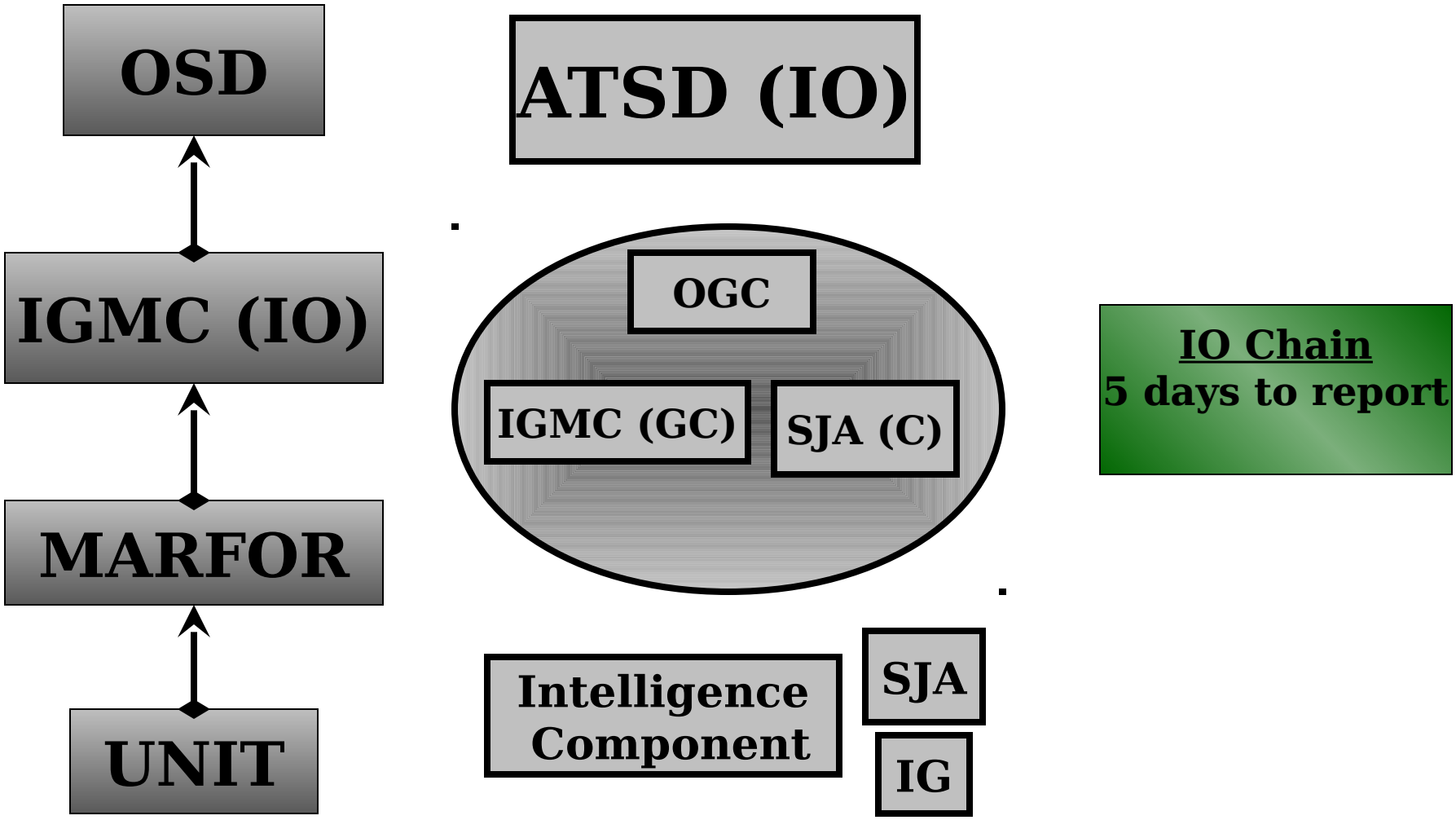
Other Employee Conduct Violations

- **“The Instructor ‘Looked’ Like a Terrorist”**

IO Reporting Requirements & Resolution

- **Reporting is Non-Negotiable**
- **Report All Questionable Activity**
  - ✓ **Confirmed and Possible Violations**
- **Report To Intel Oversight Within 5 Working Days of Discovery**
  - ✓ **MARFOR, IGMC, SJA, Command Channels or VFR Direct**

USMC Procedure 15 Reporting Chain



DoD 5240.1-R Procedures

1. **General Provisions**
2. **Collection of Info on U.S. Persons**
3. **Retention of Information**
4. **Dissemination of Information**
5. **Electronic Surveillance**
6. **Concealed Monitoring**
7. **Physical Searches**
8. **Searches of Mail**
9. **Physical Surveillance**
10. **Undisclosed Participation in Organizations**
11. **Contracting for Goods and Services**
12. **Assistance to Law Enforcement**
13. **Experimentation on Humans**
14. **Employee Conduct**

One Last Point On Reporting Questionable Intelligence Activities

"In the information age, the bad news is going to get out… the only question is who will tell it first and will they tell it accurately."

- Torie Clark
Former Asst. SECDEF for Public Affairs

INTELLIGENCE OVERSIGHT
Getting Started with Your Units

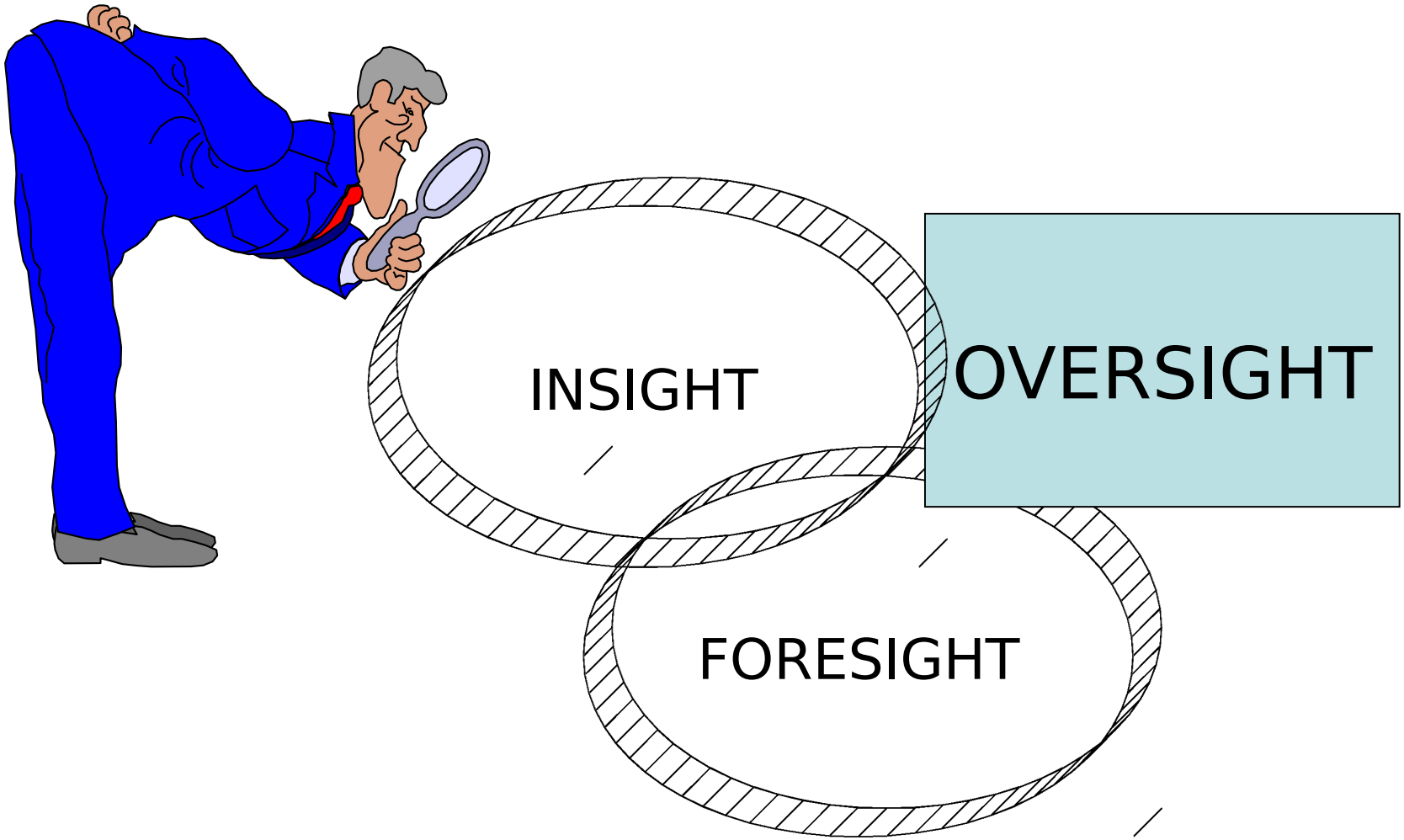
- **Do your homework and read the regulations.**

- **Identify subordinate Intel units and/or activities.**

- **Get your Staff Judge Advocate involved.**

- **Inspect as part of the CGIP:**
  - ✓ **Training program in place**
  - ✓ **Understanding of appropriate**

GOOD IO PROGRAM COMPONENTS



COMPONENT BREAKDOWN

- INSIGHT- Knowledge of programs and potential pitfalls
- OVERSIGHT – Review of programs for compliance with current laws and directives
- FORESIGHT – Determine way ahead to mitigate future problems and set path for future lawful conduct

GOOD INTELLIGENCE OVERSIGHT PROGRAM INDICATORS

- COMMAND AND LEADER EMPHASIS
- CODIFY RESPONSIBILITIES AND REQUIREMENTS
- FORMALLY APPOINT IO OFFICIAL (Whom Everyone Knows)
- TRAINING – EARLY AND OFTEN – WITH CREATIVE REINFORCEMENT

GOOD INTELLIGENCE OVERSIGHT PROGRAM INDICATORS

- MUST BE AN ACTIVE PART OF ALL OPERATIONAL PLANNING AND EXECUTION
- ACTIVE INVOLVEMENT BY SJA
- QUESTIONABLE ACTIVITY REPORTING
  - **Timeliness**
  - **Prompt and Appropriate Corrective Action**
- ACCURATE / CURRENT RECORDS & FILES

Perception is Reality

- Perception becomes reality
- Hollywood Conspiracy Theory e.g. , Clear and Present Danger, Enemy of the State, Watchdog groups

INTELLIGENCE OVERSIGHT IS A GOOD THING

- ENSURES PROTECTION OF CONSTITUTIONAL RIGHTS

- PROTECTS USMC'S GOOD NAME

- DEMONSTRATES THAT THE MARINE CORPS IS POLICING
IT'S OWN INTELLIGENCE ACTIVITIES

- PROCEDURE 15 - ALTERNATE REPORTING CHANNEL
NOT A DISCIPLINARY REPORT

BOTTOM LINE:

ATTEND TO IO RESPONSIBILITES UP FRONT OR….
GET HELP ATTENDING TO DAMAGE CONTROL LATER

Summary/Conclusion

“A free people have long had to decide where to plant the flag on that inevitable spectrum between security and liberty. We have always planted it close to liberty.”

- General Michael V. Hayden USAF

Director of the Central Intelligence Agency

Questions?

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Certificate of Completion

THIS IS TO CERTIFY THAT

(Type name here)

Has successfully completed
Intelligence Oversight Training

Signature

Date